

# **EXHIBIT I**

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July 23, 2002

**VIA FAX & U.S. MAIL**

The Honorable Jack B. Weinstein  
U.S. District Court – EDNY  
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**FAX # (718) 260-2527**

The Honorable Burton Lifland  
U.S. Bankruptcy Court – Southern District  
One Bowling Green  
New York, NY 10004

**FAX # (212) 809-9667**

Re: *In Re Johns-Manville Corp., et al.*  
Case Nos. 82 B11656 (BRL) through 82 B11676 (BRL), Inclusive  
NYAL Index No. 4000

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*Bernadine K. Findley, et al. v. Leslie Gordon Fagen, et al.*  
E.D.N.Y. 90 CV 9373 (JBW)  
NYAL Index No. 4000

Dear Judge Weinstein and Judge Lifland:

I had the privilege of attending the hearing held in your court on December 13, 2001, and the even greater pleasure of being asked to comment following the presentations by the Manville Trust, the Futures Representative, and counsel for the SCB. At the conclusion of those proceedings, you asked the Trust to meet and confer with Mr. Fagen and the SCB and report back in 30 days. I understand that you gave them at least one additional extension. Although we have heard various rumors about progress in those discussions from time to time, nothing very specific has surfaced.

Seven and a half months have gone by. Nothing has changed. The Trust has received some 40,000 additional cases. Last week, I co-chaired Mealey's "Wall Street Forum: Asbestos" seminar, at which Mr. Austern presented some information. He reported that 90% of the Trust's last 200,000 claims have come from attorney-sponsored x-ray screening programs, that 91% of all claims allege only non-malignant asbestos "disease," and that these cases currently receive 76% of all Trust funds.

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The Honorable Burton Lifland  
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In my submission for the December hearing, titled "Memorandum by Interested Attorney," I made my own suggestions as to an appropriate revision of the disease matrix value system and also proposed as an alternative that the court consider taking steps to implement a useful and legitimate medical screening program.

I do not write to point fingers at anyone, for I have no idea why nothing seems to have been accomplished to date, but simply to suggest with all respect that the time has come for your Honors to exercise the powers of the Chancellor and take whatever steps you think appropriate to fix this problem. Nothing you do can make things worse; any changes you make can only be an improvement of the current intolerable situation.

Respectfully,



Steven Kazan

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The Honorable Burton Lifland  
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